

HOUSE JOURNAL
60TH LEGISLATURE / SPECIAL SESSION MAY 2007
FOURTH LEGISLATIVE DAY

Helena, Montana
May 14, 2007

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Taylor. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Becker, Representative French and Representative Milburn, excused. Quorum present.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would caucus.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Clark moved **HB 2** do pass.

HB 2 - Representative Glaser moved **HB 2**, second reading copy, be amended as follows:

1. Page B-5, line 26.

Strike: "1,000,088 1,005,431" [general fund FY08 and FY09]

Insert: "1,050,088 1,055,431" [general fund FY08 and FY09]

2. Page B-8, line 2.

Strike: "330,812" [general fund FY09]

Insert: "1,155,706" [general fund FY09]

3. Page B-15.

Strike: line 25 in its entirety

4. Page B-17, line 4.

Following: "~~2007.~~"

Insert: "Provider Rate Increase will be implemented starting October 1, 2007."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

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Noes: Blasdel, Boggio, Everett, Hawk, Hilbert, Jore, Kasten, Kerns, Koopman, Mendenhall, Rice, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 16

Voted Absentee: Becker, French, Milburn, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange, Stahl.

Total 2

HB 2 - Representative Windy Boy moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 54

Voted Absentee: Becker, Aye; French, Milburn, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Keane moved **HB 2**, second reading copy, be amended as follows:

1. Page C-12, line 12.

Strike: "296,936" [general fund FY08]

Insert: "146,936" [general fund FY08]

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Raser,

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Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 79

Noes: Becker, Bixby, Caferro, Clark, Cohenour, French, Grinde, Hands, Jayne, L. Jones, Jopek, McAlpin, Musgrove, Peterson, Phillips, Pomnichowski, Reinhart, Van Dyk, Villa, Ward, Wiseman.

Total 21

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Jore moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 35

Noes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Koopman moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, MacLaren, McGillvray, Mendenhall, Milburn, Nooney, Peterson, Rice, Ross, Sonju, Stoker, Vincent, Wells, Witte, Mr. Speaker.

Total 32

Noes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark,

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Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

HB 2 - Representative Heinert moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Ebinger, Heinert, Hendrick, Hilbert, W. Jones, Kasten, Klock, Lambert, MacLaren, Malcolm, McNutt, Morgan, Nooney, Olson, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 35

Noes: Becker, Bergren, Bixby, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Koopman, Kottel, Lake, McAlpin, McChesney, McGillvray, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Voted Absentee: Becker, French, Milburn, Noes.

Excused: None.

Total 0

Absent or not voting: Branae, Lange.

Total 2

HB 2 - Representative Glaser moved **HB 2**, second reading copy, be amended as follows:

1. Page B-6, line 10.

Strike: "134,319,979" [general fund FY09]

Insert: "134,719,465" [general fund FY09]

2. Page B-7, line 9.

Strike: "48,019,323" [general fund FY09]

Insert: "48,920,555" [general fund FY09]

3. Page B-8, line 15.

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Strike: "52,842,594" [general fund FY09]
Insert: "52,864,079" [general fund FY09]

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 74

Noes: Barrett, Blasdel, Butcher, Callahan, Everett, Franklin, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kerns, Koopman, Lange, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Stahl, Vincent, Wells, Witte.

Total 26

Voted Absentee: Becker, French, Ayes; Milburn, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Jore moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 39

Noes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 2 - Representative Koopman moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Sinrud, Sonju, Stoker, Vincent, Wells, Witte, Mr. Speaker.

Total 35

Noes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lange, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Jore moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Arntzen, Beck, Boggio, Cohenour, Dutton, Everett, Hands, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Wells, Witte, Mr. Speaker.

Total 39

Noes: Ankney, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 2 - Representative Koopman moved **HB 2**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 39

Noes: Ankney, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Malcolm, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Voted Absentee: Milburn, Aye; Becker, French, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - The motion to pass **HB 2**, as amended, carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 43

Voted Absentee: Becker, French, Ayes; Milburn, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 70

Noes: Barrett, Beck, Blasdel, Everett, Hawk, Heinert, Hilbert, Jore, Koopman, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 24

Excused: Becker, French, Milburn.

Total 3

Absent or not voting: Butcher, Himmelberger, Thomas.

Total 3

MOTIONS

Majority Leader Lange moved that **HB 2** be placed on third reading. There being no objections, so ordered.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Ayes: Ankney, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 41

Excused: Becker, French, Milburn.

Total 3

Absent or not voting: None.

Total 0

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Majority Leader Lange moved the House stand in recess until 1:00 p.m. There being no objections, so ordered.

House reconvened at 1:30 p.m. Mr. Speaker in the chair. All members present, except Representative Becker, Representative French and Representative Milburn, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committee:

HB 9, introduced by Sonju, referred to Taxation.

HB 10, introduced by Lake, referred to Taxation.

ANNOUNCEMENTS

Committee meeting was announced.

Majority Leader Lange moved the House stand in recess until 3:00 p.m. or until completion of meetings in the Committee on Taxation. There being no objections, so ordered.

The House reconvened at 5:00 p.m. Mr. Speaker in the chair. All members present, except Representative Becker, Representative French and Representative Milburn, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first, second, and third legislative days, find the same to be correct.

L. Jones, Chair

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

5/14/2007

HB 6, introduced by Himmelberger

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 5/14/2007

HB 4, introduced by Callahan

SB 4, introduced by Lind, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

5/14/2007

Yeas - 40

Nays - 10

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 4, introduced by Lind, referred to State Administration.

ANNOUNCEMENTS

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Committee meetings were announced.

Majority Leader Lange moved the House stand in recess until 6:00 p.m. There being no objections, so ordered.

House reconvened at 6:25 p.m. Mr. Speaker in the chair. All members present, except Representative Becker, Representative French and Representative Milburn, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 5/14/2007
Correctly engrossed: **HB 9**.
Correctly printed: **HB 10**.

TAXATION (Lake, Chairman): 5/14/2007
HB 10, do pass. Report adopted.

HB 9, do pass. Report adopted.

1. Title, page 1, line 12.

Strike: "SECTION"

Insert: "SECTIONS 15-1-201 AND"

2. Page 1, line 23.

Following: "deed"

Insert: ", owning 20% or more of the shares or other membership interests of an entity that owns a residence,"

3. Page 3.

Following: line 1

Insert: "Section 4. Section 15-1-201, MCA, is amended to read:

"15-1-201. Administration of revenue laws. (1) (a) The department has general supervision over the administration of the assessment and tax laws of the state, except Title 15, chapters 70 and 71, and over any officers of municipal corporations having any duties to perform under the laws of this state relating to taxation to the end that all assessments of property are made relatively just and equal, at true value, and in substantial compliance with law. The department may make rules to supervise the administration of all revenue laws of the state and assist in their enforcement.

(b) In the administration of any tax over which it has general supervision, the department may require all individuals subject to the tax laws of the state to provide to the department the individual's social security number, federal employee identification number, or taxpayer identification number.

~~(b)(c)~~ The department may contract with the U.S. department of the interior or any other federal agency to perform federal royalty audits, collection services, and any other delegable functions related to mining operations on federal lands within the state pursuant to the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

~~(c)(d)~~ The department shall adopt rules specifying which types of property within the several classes are considered comparable property as defined in 15-1-101.

~~(d)(e)~~ The department shall also adopt rules for determining the value-weighted mean sales assessment ratio for all commercial and industrial real property and improvements.

(2) The department shall confer with, advise, and direct officers of municipal corporations concerning their duties, with respect to taxation, under the laws of the state.

(3) The department shall collect annually from the proper officers of the municipal corporations information, in a form prescribed by the department, about the assessment of property, collection of taxes, receipts from licenses and other sources, expenditure of public funds for all purposes, and other information as may be necessary and helpful

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in the work of the department. It is the duty of all public officers to fill out properly and return promptly to the department all forms and to aid the department in its work. The department shall examine the records of all municipal corporations for purposes considered necessary or helpful."

Renumber: subsequent sections

4. Page 4, line 26.

Strike: "5 acres"

Insert: "1 acre"

5. Page 5, line 8.

Strike: "5"

Insert: "6"

6. Page 5, line 9.

Strike: "5"

Insert: "6"

7. Page 5, line 13.

Strike: "4"

Insert: "5"

And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved the House expand call of the session to address electrical rates. Motion **failed** as follows:

Ayes: Arntzen, Beck, Bergren, Blasdel, Butcher, Cordier, Dutton, Everett, Heinert, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Morgan, Nooney, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 35

Noes: Ankney, Augare, Barrett, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Excused: Becker, French, Milburn.

Total 3

Absent or not voting: Clark.

Total 1

Representative Peterson moved the House expand the call of the session to address the issues of stream access. Motion **failed** as follows:

Ayes: Beck, Blasdel, Dutton, Hilbert, Himmelberger, Kerns, Koopman, Lake, Lange, McGillvray, McNutt, Olson,

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Peterson, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Witte.
Total 20

Noes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 77

Excused: Becker, French, Milburn.
Total 3

Absent or not voting: None.
Total 0

Majority Leader Lange moved the House stand at recess until 7:15 p.m.

House reconvened at 7:25 p.m. Mr. Speaker in the chair. All members present, except Representative Becker, Representative French and Representative Milburn, excused. Quorum present.

Democratic Caucus Leader Villa announced the Democrats would caucus during the recess.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 9 - Representative Sonju moved **HB 9** do pass.

HB 9 - Representative Jopek moved **HB 9**, second reading copy, be amended.

Representative Lake stated the amendment did not fall within the title of the bill. Chairman Mendenhall concurred.

Representative Jopek appealed the ruling of the chair. The vote to affirm the ruling of the chair passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh,

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Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Excused: Becker, French, Milburn.
Total 3

Absent or not voting: Clark.
Total 1

HB 9 - The motion that **HB 9** do pass carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Cohenour, Cordier, Driscoll, Dutton, Ebinger, French, Glaser, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.
Total 70

Noes: Barrett, Boggio, Caferro, Campbell, Clark, Dickenson, Erickson, Everett, Franklin, Furey, Gallik, Hamilton, Hawk, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Kottel, Musgrove, Peterson, Phillips, Rice, Ripley, Ross, Sands, Taylor, Wilson, Windy Boy.
Total 30

Voted Absentee: Becker, French, Milburn, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 10 - Representative Lake moved **HB 10** do pass.

Majority Leader Lange moved the House stand in recess to wait for a fiscal note to **HB 10**.

HB 10 - Representative McAlpin moved **HB 10**, second reading copy, be amended as follows:

1. Title, line 9.

Following: "PAYMENT"

Insert: ", "

Strike: "AND"

2. Title, line 10.

Following: "FUNDING"

Insert: ", AND TO THE MONTANA UNIVERSITY SYSTEM THROUGH SUPPORT OF PUBLIC EDUCATION INSTITUTIONS"

3. Title, line 12.

Following: "APPROPRIATION"

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Insert: "AND A STATUTORY APPROPRIATION"

4. Title, line 13.

Following: "15-10-420,"

Insert: "17-7-502,"

5. Page 1, line 18.

Following: "distribution"

Insert: "-- appropriation"

6. Page 1, line 20.

Strike: "and"

7. Page 1, line 21.

Following: "district"

Insert: ", and the 6-mill university levy for the purposes of 20-25-423"

8. Page 1, line 22.

Following: "government"

Insert: ", "

Strike: "and"

Insert: "each"

9. Page 1, line 23.

Following: "district"

Insert: ", and the 6-mill university levy for the purposes of 20-25-423"

10. Page 2.

Following: line 13

Insert: "(4) (a) For each fiscal year beginning after June 30, 2008, the amount determined under subsection (1) for the 6-mill university levy must be added to the support of public education institutions as provided in 20-25-423.

(b) For fiscal year 2008, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for the 6-mill university levy. By June 15, 2008, the department shall distribute the amount determined under this subsection (4)(b) for the support of public education institutions as provided in 20-25-423.

(c) The amounts determined under this subsection (4) are statutorily appropriated, as provided in 17-7-502, from the general fund to the department for distribution to the Montana board of regents for the support of public education institutions as provided in 20-25-423."

11. Page 21.

Following: line 9

Insert: "Section 7. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

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(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; [section 1]; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)"

Renumber: subsequent sections

12. Page 23, line 28.

Strike: "7"

Insert: "8"

Strike: "10"

Insert: "11"

13. Page 24, line 2.

Strike: "7"

Insert: "8"

Strike: "10"

Insert: "11"

Amendment adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 48

Voted Absentee: Becker, French, Ayes; Milburn, No.

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

HB 10 - The motion to pass **HB 10**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

Noes: Becker, Bixby, Branae, Caferro, Cohenour, Dickenson, Erickson, Franklin, Grinde, Hamilton, Hands, Henry, Musgrove, Parker, Reinhart, Villa, Wilson.

Total 17

Voted Absentee: French, Milburn, Ayes; Becker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 4 - Senate Amendments - Representative Callahan moved Senate amendments to **HB 4** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 48

Voted Absentee: Becker, French, Ayes; Milburn, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Augare, Bergren, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 65

Noes: Barrett, Beck, Bixby, Blasdel, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Koopman, McGillvray, Nooney, Peterson, Rice, Ripley, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 27

Excused: Becker, French, Milburn.
Total 3

Absent or not voting: Ankney, Clark, Malcolm, Mendenhall, Sinrud.
Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 9 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Branae, Butcher, Callahan, Campbell, Cordier, Driscoll, Ebinger, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 73

Noes: Bixby, Boggio, Caferro, Clark, Cohenour, Dickenson, Dutton, Erickson, Everett, Hawk, Ingraham, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Musgrove, Peterson, Rice, Ripley, Villa, Wells.
Total 23

Excused: Becker, French, Milburn.
Total 3

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Absent or not voting: Witte.
Total 1

HB 10 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Furey, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 83

Noes: Bixby, Caferro, Cohenour, Erickson, Franklin, Grinde, Hamilton, Hands, Henry, Musgrove, Parker, Reinhart, Villa, Wilson.
Total 14

Excused: Becker, French, Milburn.
Total 3

Absent or not voting: None.
Total 0

HB 4 passed as follows:

Ayes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 56

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Nooney, Olson, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 41

Excused: Becker, French, Milburn.
Total 3

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Tuesday, May 15, 2007. Motion carried.

House adjourned at 9:05 p.m.

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MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House